IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 1468 OF 2004

M/s. R.P.Sanghvi & Co. .. **Plaintiffs.**

v/s.

Vishnu Sadashiv Koli. .. **Defendant.**

Ms. Mamta Panda i/b Kiran Jain for plaintiffs.

CORAM: D.G.DESHPANDE, J.

DATE : 29TH NOVEMBER, 2004.

P.C. :-

. The suit is on board for Exparte Hearing. The advocate for the plaintiff is present. She has filed affidavit of service and compilation of documents as per which notice was sent to the defendant. It was returned to the plaintiff with the remark "unclaimed returned to the sender. This is sufficient service. Under these circumstances, the suit stands decreed as prayed for with 12 % future interest from the date of the suit till realisation and costs. Permissible court fee be refunded to the plaintiff as per rules.

2. By an order dated 22nd June, 2004 in Notice of

Motion No. 1618 of 2004, Respondent/Garnishee were restrained from paying the amount of retirement dues, arrears of salary and other dues which are due and payable by the Respondent/Garnishee to the defendant to the extent of Rs.77,157/- being the suit claim. The said order to continue till execution.

3. Certified copy expedited.